

MOTION

The presence of individuals camping or dwelling in brush areas within the City's Very High Fire Hazard Severity Zone (Zone) remains a serious public safety concern. The risk of wildfire caused by activities of unauthorized individuals within the Zone must be addressed and mitigated.

Under Section 57.4908.8 of the Los Angeles Municipal Code (LAMC), the City may post notice that no person may enter or remain in the Zone except on public roadways, inhabited areas, or established trails and campsites which are open to the public. A person who violates this Section is guilty of trespass, which is punishable as a misdemeanor.

Posting notice gives a person knowledge that they should not be in a restricted area of the Zone. The contents of the notice and how it is to be posted is currently prescribed in LAMC Section 57.4908.8.1. Posting requirements include installing a sign at each entrance and corner of a property and at intervals no more than 600 feet along the property boundary.

Meeting these posting requirements for the entire Zone is therefore unrealistic and leaves significant portions of the Zone unposted.

It would be more effective if the City's law allowed in-person notice to a person inside the restricted portion of the Zone as an alternative to posted notice. Personal notice of this nature would alert the person that he or she is in a restricted portion of the Zone (not on a road, or in an inhabited area, or on an established trail or campsite). This notice would also warn the person that failure to immediately leave the restricted portion of the Zone, or leaving and returning to the Zone, constitutes a criminal trespass. This in-person notice would be an alternative to the posting of the notice, but posting would remain an option to convey notice.

There might be other actions and solutions available to the City to address and mitigate the dangerous presence of persons in restricted portions of the Zone. A timely review of other options is needed within a sufficient time period for Council to act on any recommendations in advance of the upcoming fire season.

I THEREFORE MOVE that the City Attorney be requested to prepare and present a draft ordinance that amends the Los Angeles Municipal Code to allow for personal notice to an individual who is within a portion of the Very High Fire Hazard Severity Zone that is not open to the public (not on a public road or in an inhabited area, or on an established trail or campsite).

I FURTHER MOVE that the Council instruct the Fire Department, with the assistance of the Police Department, City Attorney, Emergency Management Department and Chief Legislative Analyst, report in 30 days on what measure are currently implemented to address and mitigate risk of wildfires in the Very High Fire Hazard Severity Zone, and on what other means might be employed and policies or laws adopted to improve the City's ability to prevent trespassing in the zone and other means to address dangerous activities in the Zone.

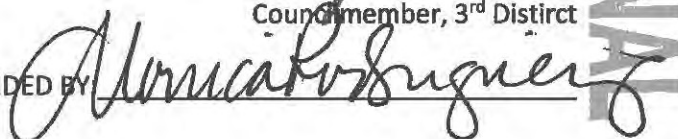
PRESENTED BY:



BOB BLUMENFIELD

Councilmember, 3rd District

SECONDED BY:



JAN 15 2019

ORIGINAL

